



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JOSE PAREJA, et al.,

Plaintiffs,

18 **CIVIL** 5887 (JPO)

-against-

**DEFAULT JUDGMENT**

FOOD CORP., et al.,

Defendants.  
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated August 9, 2021, no party filed a timely objection to the Report; therefore, the Court has reviewed it for clear error. See Fed. R. Civ. P. 72(b), Advisory Committee's Notes (1983) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); see also *Borcsok v. Early*, 299 F. App'x 76, 77 (2d Cir. 2008). Magistrate Judge Aaron's well-reasoned Report presents no such errors and is therefore fully adopted by this Court. Accordingly, damages are awarded against the Non-Appearing Defendants as calculated in the Report. Plaintiff's motion for a default judgment is GRANTED with respect to Defendants 0113 Food Corp., Giovanni Marte, Jose Marte, and Gustavo Marte. Judgment is entered in favor of the Plaintiff against these defendants in the amount of \$169,224.26 (consisting of \$73,940.63 in unpaid overtime wages, \$5,671.50 in spread of hours pay, \$79,612.13 in liquidated damages and \$10,000.00 for wage notice and statement violations). It is further Ordered as follows: (1) pre-judgment interest is awarded at the rate of 9% per annum on the sum of \$79,612.13 from October 12, 2016 until the date of entry of judgment, in the amount of \$34,628.00; and (2) Plaintiff is awarded \$26,169.05 in attorneys' fees and costs.

With respect to Defendants 184 Food Corp., 231 Food Corp., DG 231 Food Corp., 640 Pelham Food Corp., G&G Pelham Food Corp., Rafael Montes Deoca, Rafael Montes Deoca Jr. and Gregory Gonzalez, Plaintiff's motion for a default judgment is GRANTED and judgment is entered against them in the sum of \$169,224.26, plus pre-judgment interest at the rate of 9% per annum on the sum of \$79,612.13 from October 12, 2016 until the date of entry of judgment, in the amount of \$34,628.00; and Plaintiff is awarded \$26,169.05 in attorneys' fees and costs.

**Dated:** New York, New York  
August 11, 2021

**RUBY J. KRAJICK**

**BY:**

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**Clerk of Court**

*Kmango*  
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**Deputy Clerk**